

CIVIL COMPLAINT FORM TO BE USED BY A *PRO SE* PRISONER

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

David Mark Wilson 202202044

Full Name of Plaintiff

Inmate Number

Civil No. _____

(to be filled in by the Clerk's Office)

v.

Lawrence Spathelf Jr.

Name of Defendant 1

☒ Demand for Jury Trial

☐ No Jury Trial Demand

Leland Palmere

Name of Defendant 2

Isaac Troutman

Name of Defendant 3

Mark Miller

Name of Defendant 4

Officer Merkel

Name of Defendant 5

(Print the names of all defendants. If the names of all
defendants do not fit in this space, you may attach
additional pages. Do not include addresses in this
section).

I. NATURE OF COMPLAINT

Indicate below the federal legal basis for your claim, if known.

☒

Civil Rights Action under 42 U.S.C. § 1983 (state, county, or municipal defendants)

☐

Civil Rights Action under Bivens v. Six Unknown Federal Narcotics Agents, 403 U.S. 388 (1971) (federal defendants)

☐

Negligence Action under the Federal Tort Claims Act (FTCA), 28 U.S.C. § 1346, against the United States

CIVIL COMPLAINT FORM TO BE USED BY A PRO SE PRISONER

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

David Mark Wilson 202202044 :

Full Name of Plaintiff :

Inmate Number :

v. :

Jeff Hughes :

Name of Defendant 6 :

Patrick Chelland :

Name of Defendant 7 :

Danielle Guarri :

Name of Defendant 8 :

Name of Defendant 9 :

Name of Defendant 10 :

(Print the names of all defendants. If the names of all
defendants do not fit in this space, you may attach
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(1971) (federal defendants)

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United States

II. ADDRESSES AND INFORMATION

A. PLAINTIFF

Wilson, David M.

Name (Last, First, MI)

202202044

Inmate Number

Lackawanna County Prison

Place of Confinement

1371 N. Washington Ave.

Address

Scranton, Pa 18509

City, County, State, Zip Code

Indicate whether you are a prisoner or other confined person as follows:

- ☒ Pretrial detainee
☐ Civilly committed detainee
☐ Immigration detainee
☐ Convicted and sentenced state prisoner
☐ Convicted and sentenced federal prisoner

B. DEFENDANT(S)

Provide the information below for each defendant. Attach additional pages if needed.

Make sure that the defendant(s) listed below are identical to those contained in the caption. If incorrect information is provided, it could result in the delay or prevention of service of the complaint.

Defendant 1:

Spathelf, Lawrence

Name (Last, First)

Police Officer

Current Job Title

100 S. Washington Ave

Current Work Address

Scranton, Pa 18503 Lackawanna County

City, County, State, Zip Code

Defendant 2:

Palmere, Leland

Name (Last, First)

Police Officer

Current Job Title

100 S. Washington Ave

Current Work Address

Scranton, Pa 18503

City, County, State, Zip Code

Defendant 3:

Troutman, Isaac

Name (Last, First)

Police Officer

Current Job Title

100 S. Washington Ave

Current Work Address

Scranton, Pa 18503

City, County, State, Zip Code

Defendant 4:

Miller, Mark

Name (Last, First)

Police Officer

Current Job Title

100 S. Washington Ave

Current Work Address

Scranton, Pa 18503

City, County, State, Zip Code

Defendant 5:

Merkel

Name (Last, First)

Police Officer

Current Job Title

100 S. Washington Ave

Current Work Address

Scranton, Pa 18503

City, County, State, Zip Code

Defendant ☒ 6

Hughes, Jeff

Name (Last, First)

Deputy Sheriff

Current Job Title

200 N. Washington Ave

Current Work Address

Scranton, Pa 18503 - Lackawanna County

City, County, State, Zip Code

Defendant ☒ 7

Chelland, Patrick

Name (Last, First)

Deputy Sheriff

Current Job Title

200 N. Washington Ave

Current Work Address

Scranton, Pa 18503 - Lackawanna County

City, County, State, Zip Code

Defendant ☒ 8

Guan, Danielle

Name (Last, First)

Assistant District Attorney

Current Job Title

135 Jefferson Ave

Current Work Address

Scranton, Pa 18503 - Lackawanna County

City, County, State, Zip Code

Defendant ☒ 9

Name (Last, First)

Current Job Title

Current Work Address

City, County, State, Zip Code

III. STATEMENT OF FACTS

State only the facts of your claim below. Include all the facts you consider important. Attach additional pages if needed.

A. Describe where and when the events giving rise to your claim(s) arose.

456 Laurel St. Scranton, Pa. 1332 Hrs.

B. On what date did the events giving rise to your claim(s) occur?

July 19, 2022

C. What are the facts underlying your claim(s)? (For example: What happened to you?
Who did what?)

- ① Unlawfully Arrested By Officer Leland Palmere Without Probable Cause
- ② Officers Of Scranton Police Dept. And Deputy Sheriffs Of Lackawanna County Use Excessive Force Against Me.
- ③ Police Misconduct By Illegal Procedures
- ④ All Law Enforcement Officers Sought To Cause Harm Against Me With Evil Intent
- ⑤ I Am A Victim Of A Heinous Crime
- ⑥ I Was Assaulted With A Vehicle Door
- ⑦ I Was Tased With No Justification
- ⑧ I Was Burned On The Street Held Down By Govt. Agents Screaming In Pain While They Ignored My Cries For Mercy In Shackles And Handcuffs
- ⑨ Illegally Detained Police And Prosecutor
- ⑩ Abuse Of A Prisoner
- ⑪ Abuse Of Powers And Authority: Oppression

IV. LEGAL CLAIM(S)

You are not required to make legal argument or cite any cases or statutes. However, state what constitutional rights, statutes, or laws you believe were violated by the above actions. If you intend to assert multiple claims, number and set forth each claim in separate paragraphs. Attach additional pages if needed.

- 4th Amendment - Article 1, Section 8 Pa Const.
- 5th Amendment - Article 1, Section 10 Pa. Const.
- 6th Amendment - Article 1, Section 9 - Speedy Trial
- 8th Amendment - Cruel And Unusual Punishment
- 10th Amendment - Reserved To States Or To The People
- 14th Amendment - Equal Protections Of Law
- Pa. R. Crim. P. - Rule # 600 - Prompt Trial (B)(1)
- Pa R. Crim. P. - Rule # 573(B)(1) - Mandatory Disclosure
- Pa R. Crim. P. - Rule # 541(A)(2) - Waiver By Agreement -
- Right To Challenge Commonwealth Prima Facie Case
- IF Agreement Isn't Met.

V. INJURY

Describe with specificity what injury, harm, or damages you suffered because of the events described above.

PTSD, False Imprisonment, Multiple Burns Of Various Degrees, Scar Tissue To Left Extremities, Upper And Lower Pain And Suffering, Lost Time With My Children, Faith In Court Prejudiced Of Civil Rights

VI. RELIEF

Police Brutality

State exactly what you want the court to do for you. For example, you may be seeking money damages, you may want the court to order a defendant to do something or stop doing something, or you may be seeking both types of relief. If you are seeking monetary relief, state your request generally. Do not request a specific amount of money.

Dismissal Of All Criminal Charges That Are Falsely Lodged Against Me By Violation Of The Federal Constitution And State Constitution Pay For The Pain And Suffering, Lost Time, And Injuries. Compensation.


VII. SIGNATURE

By signing this complaint, you represent to the court that the facts alleged are true to the best of your knowledge and are supported by evidence, that those facts show a violation of law, and that you are not filing this complaint to harass another person or for any other improper purpose.

Local Rule of Court 83.18 requires *pro se* plaintiffs to keep the court informed of their current address. If your address changes while your lawsuit is being litigated, you must immediately inform the court of the change in writing. By signing and submitting the complaint form, you agree to provide the Clerk's Office with any changes to your address where case-related papers may be served, and you acknowledge that your failure to keep a current address on file with the Clerk's Office may result in dismissal of your case.



Signature of Plaintiff



Date

9/27/23

Dear Clerk Of Court,

I Am Seeking To Obtain An Appointed Counsel. I Am Very Limited On Civil Suit Knowledge And On A Very Tight Budget Where It Is Extremely Difficult To Keep Up With The Financial Requirements Necessary. I Truly Need Assistance And I Do Not Have A Way To Consult Any Civil Lawyers About My Civil Suit And To Inquire If Any Attorneys Of Law Would Like To Take My Case. Could You Please Help Me With This Issue.

David Mark Wilson

Thank
Dave Wilson